



Office of Administration
Division of Personnel
Frequently Asked Questions About Layoffs

When a layoff is conducted, the agency determines which of its programs/functions, and the resulting classes and positions, will be eliminated. Under the Rules and Regulations of the Personnel Advisory Board, specific procedures govern the layoff of classified employees in Merit System agencies, and serve to identify the employees affected.

This document is intended to serve as a general guide and source of information to assist state employees who have been laid off. We have attempted to provide contacts and links to various resources and services available to you. This material will be updated as additional information is available.

Questions specific to your personal employment situation may best be addressed by your agency's Human Resources staff.

1. In general, how does the layoff process work for Merit System employees?

One of the first steps that must occur is that management within a particular division of service must make very difficult decisions about the programs, job classes and positions that must be reduced or eliminated. Layoffs are conducted within a particular division of service and by class title (For broadbanded managers, layoffs are by class title and band). The specific employees to be laid off are determined by the layoff procedures of the Personnel Advisory Board. In order to determine the order for layoff of regular employees (those who have completed their initial probationary period), we use total state government service as shown by Missouri State Employees' Retirement System (MOSERS) service information (excluding any service that an employee has purchased). Using this information, employees with less service are laid off before their co-workers in the same division of service and in the same class title (or class title and band for broadbanded managers) who have more service time.

2. Does an employee have the opportunity for the jobs of other employees in the same division of service who have less state service?

Depending on the individual circumstances, an employee may be able to voluntarily transfer or take a demotion and avoid being laid off. In some cases an employee would be allowed to transfer to a position within the same class title even if this would cause another less senior employee to be laid off. An employee may also have rights to take a voluntary demotion to certain positions held by less senior co-workers. An employee could demote to a lower class in the same occupational job series or to any lower class in which the employee held regular status (was taken off of probation in that class) in the division of service involved with the layoff even if this required another less senior employee to be laid off. Only regular employees (those who have completed a probationary period) would be entitled to transfer or demote instead of being laid off.

3. What notice will an employee get if he is to be laid off?

Each employee who may/will need to be laid off will receive a notification letter. The letter will be dated at least fifteen days prior to the date that the layoff is to take effect. The letter will also include information about any opportunities that the employee has to voluntarily transfer or demote instead of being laid off. If the employee has more than one transfer/demotion opportunity available, the letter will describe the options. The employee will then need to rank in order of preference all of the available options shown on the letter and return it to their agency's Human Resources office. The letter will also give the employee a chance to complete a form and be added to reinstatement register(s) to which the employee is entitled. The reinstatement form is then returned to the Division of Personnel.

4. If an employee accepts a transfer or demotion instead of being laid off, will he or she have to agree to a reduction in pay?

Possibly. There could be transfer situations that an employee could be entitled to choose that may not require a salary reduction. However, if an employee chooses to take a voluntary demotion, it will probably require some reduction in pay. If a salary reduction is required, for purposes of equity, it will be included in the layoff notice letter sent to the employee.

5. If an employee accepts a voluntary demotion, will he or she have a chance to be promoted back to the class he or she was demoted from?

Yes. An employee who is demoted instead of being laid off will be able to get on the reinstatement register for the class that he or she was demoted from. The division of service must offer future opportunities in the class from which the employee was laid off or demoted in lieu of layoff to employees on reinstatement registers. The names of employees laid off will remain on the reinstatement register for three years.

6. What if an employee chooses not to accept a voluntary demotion?

If an employee chooses not to accept any of the transfer/demotion opportunities that are available, the employee will be laid off.

7. If an employee is laid off can he appeal it to the Personnel Advisory Board?

No. The Division of Personnel reviews layoffs to ensure that the rules of the Personnel Advisory Board are followed. Also, any transfer or demotion that an employee accepts is completely voluntary. For these reasons, layoffs and/or transfers or demotions in lieu of layoff cannot be appealed to the Personnel Advisory Board.

8. If an employee is laid off (or demoted instead of being laid off), can she be reinstated?

Yes. An employee who is laid off (or demoted instead of being laid off) will receive information about having his or her name added to the appropriate reinstatement register when he or she receives the layoff notification letter. If a division of service fills future vacant positions in class titles from which employees were laid off, the employees who were laid off from that division, and are on the reinstatement register for that class, must be hired back in service order. If another division or Merit System agency intends to fill positions, the certificate they hire from will include the names from the reinstatement register at the top of the list. Although an agency is not required to hire employees who were laid off from other agencies, those employees must be considered for the position.

9. If an employee is laid off, will that reflect badly on his or her employment record?

Absolutely not. Layoffs are necessary due to the state financial situation and do not reflect any discredit on the service of the employee.

10. If I am laid off, how and when will I receive my final paycheck for hours worked?

If the effective date of layoff is between the first (1st) and fifteenth (15th) of the month, a paycheck will be issued on the last workday of that month. If the effective date of layoff is between the sixteenth (16th) and the last day of the month, a paycheck will be issued on the fifteenth (15th) of the following month. This paycheck will be forwarded to you at the mailing address on file with your employing agency. For this reason, it is important to make sure that the mailing address information is accurate.

11. How will I be paid for my unused annual leave and compensatory time?

You will receive compensation for your unused annual leave, typically in a separate paycheck following your last regular paycheck. If you have accumulated compensatory time (federal, state and/or holiday), this will be included in that same check. This check will be forwarded to you by mail. Please ensure your employing agency has your current mailing address.

12. What happens to my unused sick leave balance?

Sick leave balances are not paid out at the time of separation. If you return to state service within 5 years of separation, your sick leave balance can be restored. A formula is applied to unused sick leave at the time of your retirement to extend your creditable years of service.

13. As a classified merit system employee with regular status who is being laid off or demoted in lieu of layoff, will I be placed on any reinstatement registers?

The names of regular, reinstatement probationary, and reemployment probationary employees who are laid off or demoted in lieu of layoff are placed on appropriate reinstatement registers, assuring them of opportunities for future vacancies. An agency that conducted a layoff is required to fill vacancies with available persons who were laid off by that agency and who are on the reinstatement register for the class involved. Additionally, you may be considered for rehire by other merit system agencies. In order to receive proper notice of job opportunities, it is important that you keep the Division of Personnel advised of your current mailing address.

14. As a classified merit system employee with regular status who is being laid off or demoted in lieu of layoff, how can I be considered for reemployment opportunities?

Employees, or former employees who wish to be considered for reemployment to a class in which they previously held regular status and left in good standing, can complete an Application for Transfer/Reemployment through the Office of Administration-Division of Personnel. Use of this list by agencies is optional and does not necessarily guarantee consideration for reemployment. In order to receive proper notice of job opportunities, it is important that you keep the Division of Personnel advised of your current mailing address. Individuals can also apply directly to merit system agencies for reemployment.

15. How do I file for unemployment insurance?

There are three ways to file for unemployment:

1. Through the Internet (<http://www.mocclaim.com>)

2. Telephone:

(Calls must be made from touch-tone phone. A rotary phone will not work. If your phone has a PULSE/TONE switch, set the switch to TONE after your call is answered.)

Jefferson City RCC

PO Box 3915

Jefferson City, MO 65102-3915

Fax 573-751-2009

To file for benefits or to get claims information:

Local Calling Area 573-751-9040

Outside Local Calling Area 800-320-2519

Kansas City RCC

PO Box 419122

Kansas City, MO 64141-6122

Fax 816-889-3060

To file for benefits or to get claims information:

Local Calling Area 816-889-3101

Outside Local Calling Area 800-320-2519

Springfield RCC

PO Box 50025

Springfield, MO 65805-0025

Fax 417-895-7300

To file for benefits or to get claims information:

Local Calling Area 417-895-6851

Outside Local Calling Area 800-320-2519

St. Louis RCC

PO Box 8859

St. Louis, MO 63101-8859

Fax 314-340-4755

To file for benefits or to get claims information:

Local Calling Area 314-340-4950

Outside Local Calling Area 800-320-2519

*Automated information is available from 1:00 p.m. Sunday through 4:00 p.m. Friday (CDT/CST).

*Claim Center representatives are available from 8:00 a.m. to 4:00 p.m. (CDT/CST) Monday through Friday.

NOTE: The numbers above are to be used to file a new unemployment claim, renew or reopen an existing claim or to file a weekly claim for benefits. You must also use these numbers to obtain automated information about a prior week you have claimed, a pending appeal, or your benefit year beginning date. The numbers are also used if you need to change your address, if you have forgotten your PIN, or if

you need information not contained in the automated system. When you call, please make the appropriate menu selection.

Hearing/Speech Impaired

To file a new or renewed claim
or for information about your claim
(Relay Missouri).....1-800-735-2966
Then ask the operator to call.....(888) 861-8349

TDD/TTY Users Only

To file for weekly benefits,
(Interactive Voice Response Unit).....1-800-316-0896
Jefferson City Local.....573-751-4139

- 3. Visit the Division of Personnel's Resource and Assistance Center**, where you can access the Internet to file a claim for unemployment through the Department of Labor and Industrial Relation's website.

Division of Personnel Resource and Assistance Center
Truman State Office Building
Fourth Floor, Room 430
301 West High Street
Jefferson City, MO 65102

Call Toll Free 866-617-9878
In Jefferson City, 751-1632

Open Monday through Friday 8 AM to 5 PM